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| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO. |
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| 09/827,657                  | 04/05/2001  | Richard E. McNutt    | ODS/035                  | 5396             |
| 75563                       | 7590        | 01/21/2009           | EXAMINER                 |                  |
| ROPS & GRAY LLP             |             |                      | D'AGOSTINO, PAUL ANTHONY |                  |
| PATENT DOCKETING 39/361     |             |                      |                          |                  |
| 1211 AVENUE OF THE AMERICAS |             |                      | ART UNIT                 | PAPER NUMBER     |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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ROPS & GRAY LLP  
PATENT DOCKETING 39/361  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-8704

Appeal No: 2009-3451  
Application: 09/827,657  
Appellant: Richard E. McNutt et al.

**Board of Patent Appeals and Interferences  
Docketing Notice**

Application 09/827,657 was received from the Technology Center at the Board on December 12, 2008 and has been assigned Appeal No: 2009-3451.

A review of the file indicates that the following documents have been filed by appellant:

Appeal Brief filed on: April 04, 2008  
Reply Brief filed on: September 02, 2008  
Request for Hearing filed on: NONE

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

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By order of the Board of Patent Appeals and Interferences